

**TOWN OF MALONE
REGULAR MEETING
July 13, 2016**

A regular meeting of the Town Board of the Town of Malone, County of Franklin and the State of New York was held at the Town Offices, 27 Airport Rd., Malone, NY on the 13th day of July 2016.

PRESENT: Howard Maneely ----- Supervisor
John Sullivan ----- Deputy Supervisor
Mary Scharf ----- Councilor
Edward Lockwood ----- Councilor

ABSENT: Louise Taylor ----- Councilor

RECORDING SECRETARY: Deborah Hutchins, Town Clerk
Denice Hudson, Budget Officer
Lillian Anderson-Duffy, Town Attorney

ALSO PRESENT: Bruce Mallette, Highway Superintendent
Carl Sherwin, Franklin County-Malone
Bruce Burditt, Malone
Donna Kissane, Franklin County-Malone
Carla Gerber, Malone
Dan Dumont, Malone
Lynne Dumont, Malone
Joseph Riccio, Village of Malone
Russ Kinyon, Franklin County-Malone

CALL TO ORDER: Supervisor Maneely called the regular meeting to order at 6:00 p.m., with a pledge to the flag.

APPROVAL OF MINUTES

RESOLUTION 172-2016

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

Resolved that the minutes of the June 22, 2016 Regular Meeting be approved. The minutes of the 07/05/2016 Special Meeting to be approved at the next meeting.

REPORTS

RESOLUTION 173-2016

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

Resolved to accept the following reports for review and filing as written and placed in file: Airport Manager (Service Worker) – 06/2016, Town Clerk –06/2016 and Justices Gardner and Robert – 06/2016.

OLD BUSINESS:

SUPERVISOR REPORT

RESOLUTION 174-2016

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

Resolved that Supervisor Maneely receive permission to sign MCF physicals (E. Phillip Delarm, Jr. and Gary Spinner) to be added to the Franklin County Self Insurance Plan as presented.

TOWN OF MALONE
REGULAR MEETING
July 13, 2016

RESOLUTION 175-2016

On a motion of Councilor Scharf, seconded by Councilor Lockwood, the following resolution as

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

Resolved that Supervisor Maneely be granted permission to sign the consultant agreement for the Transient Aircraft Parking Apron Rehabilitation.

RESOLUTION 176-2016

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

Resolved that the Town Attorney be granted permission to sign the Grant Offer for Airport Improvement Program Project – Transient Aircraft Parking Apron Rehabilitation and Installation of Fuel Farm.

RESOLUTION 177-2016

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

Resolved that Supervisor Maneely be granted permission to sign letter to Friend Commercial Contracting regarding documentation to complete contract execution.

BOARD MEMBER/COMMITTEE ITEMS

Supervisor Maneely then invited Dan Dumont, Town resident, to address the Board regarding his concerns with the condition of the Whitten Road. Mr. Dumont stated that he has some concerns with the Whitten Road. He stated that there are damaging and dangerous potholes on this road. He stated that this road was one of the roads recently designated as a bike path with Complete Streets and there was not a single biker on the road which can be assumed why this was the case. He expressed that there are children riding bikes on this road and there are two culverts that have insufficient or no guard rails whatsoever with an eleven foot drop to the water. Mr. Dumont stated that he feels he has been patient to date and has expressed this concern previously. Mr. Dumont stated he is looking for an answer whether or not the highway department will be coming there. Bruce Mallette then responded that he has had to deal with washouts recently and he also has one grader broke down. He also stated that he is waiting on DEC for permits but that won't affect him getting started with gravel on the road. He stated the culverts are here for the road. Councilor Lockwood then spoke up and stated that he is on the highway committee and will work with Bruce to come up with a plan and timeline for the work. Councilor Lockwood asked Mr. Dumont if it would be acceptable if they came up with a plan, timeline, contact DEC and those to be held accountable and get back to him with a plan. Mr. Dumont then stated that so many buildings in Malone are deteriorating and reducing the tax base; he has built a new home and doing his part to keep up his property, paying his taxes, etc. Councilor Lockwood stated that he will get with Deputy Supervisor Sullivan and Superintendent Mallette, make some phone calls and will be back in touch with Mr. Dumont by the end of the week.

Supervisor Maneely then discussed an email regarding a Friends of the North Country Grant which it was determined that the Town would wait until the second round to apply due to the fact that the Town is already sponsoring the Friends of the North Country Grant for the Valley Ridge Manor Housing.

Councilor Scharf stated that she turned over the Complete Street Chairman position to someone else.

RESOLUTION 178-2016

On a motion of Councilor Scharf, seconded by Councilor Lockwood, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

**TOWN OF MALONE
REGULAR MEETING
July 13, 2016**

Resolved to approve Wayne Miller as the new Chairman for the Complete Streets Committee.

Councilor Lockwood stated that they met earlier today on the Civic Center Contract which was a very good and productive meeting and he anticipates having more to report on by the next meeting.

SUPERINTENDENT OF HIGHWAYS

Superintendent Mallette reported that they have been busy fixing washouts on the roads with the recent torrential downpours.

CORRESPONDENCE

- From FAA- Written concurrence with award of Contract for Transient Aircraft Parking Apron Rehabilitation to Friend Commercial Contracting.
- From FAA – Approval of pen and ink change, subject to environmental review, which Suki Gill of the FAA has indicated is complete, with the FONSI Ad which rand in the Malone Telegram on Tuesday.
- From the County Manager – requesting support for the solar energy project they are pursuing. Donna Kissane, County Manager, being present spoke on this. She stated that Franklin County is now in the process of looking at building a solar energy project on the landfill – the Village is doing half of the landfill and the County would like to do the other half. In order to move forward with this project that would give meter credit to the electric bill, the land needs to be divided in to two parcels and, therefore, asking for support from the Town to do the separation. Supervisor Maneely stated that the Town has agreed to take lead agency on this project but still has not received any documentation. Lillian Duffy-Anderson informed Ms. Kissane that she needs to have the plan put in writing to present to the Town Board the details of the project. Ms. Kissane stated that she would have the County Attorney, Jonathan Miller, get with Lillian Anderson-Duffy to review the process. Lillian Anderson-Duffy then briefly explained the DEC requirements process to Ms. Kissane as well as Village Mayor Riccio who was also present. It was stated that two separate applications will need to be submitted – one for the Village and one for the County but the Town will look at both together.
- From Charter Communications – merger between Charter and Time Warner Cable. Charter Communications is a new cable franchisee.
- From Department of Public Service – regarding investigation and evaluation options for making additional telephone numbers available in the 518 area code.
- From First Niagara Bank/Key Bank regarding merger and new location effective October 11th.

NEW BUSINESS:

RESOLUTION 179-2016

On a motion of Councilor Lockwood, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood

Nays 0

Resolved that permission be granted for Budget Officer to make the following journal entries, as per the Comptroller notice for April: From A690 Clearinghouse \$8,693.70 to A980 Revenues \$8,693.70 (A2610 court fines and fees).

RESOLUTION 180-2016

On a motion of Councilor Scharf, seconded by Councilor Lockwood, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood

Nays 0

Resolved that permission be granted for Budget Officer to make the following journal entries, as per the Comptroller notice for May: From A690 Clearinghouse \$11,251.00 to A980 Revenues \$11,251.00 (A2610 court fines and fees).

TOWN OF MALONE
REGULAR MEETING
July 13, 2016

RESOLUTION 181-2016

On a motion of Councilor Scharf, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood

Nays 0

Resolved to approve the placement of an advertisement in the Malone Telegram for the vacant Court Clerk position which needs to include the requirement that they reside in the Town of Malone.

Carla Gerber then addressed the Board and handed over a letter to Supervisor Maneely and also to Superintendent Mallette. Mrs. Gerber stated that she would like to have the letter signed. Supervisor Maneely stated it should be stamped in and signed by the Town Clerk. Supervisor Maneely then read the letter addressed to the Town of Malone at 27 Airport Road, Malone, NY. This is to notify you that the Department of Highway is too far to the edge of road of my property line at 1435 Webster St. When new gravel was placed on June 2016 no safety provisions such as guard rail are made to date by you. Since this is a dangerous downhill of road, I'm willing to provide some of the guard rail for your department to install. Letter signed by Carla Gerber. The letter was stamped in and signed by the Town Clerk and second letter was given to Superintendent Mallette to address.

EXECUTIVE SESSION:

RESOLUTION 182-2016

On a motion of Supervisor Maneely, seconded by Councilor Lockwood, the following resolution was

ADOPTED Ayes 4 – Maneely, Scharf, Lockwood, Sullivan

Nays 0

Resolved that the Town Board enter into Executive Session at 6:25 p.m. for the purpose of a matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, with Board Members and the Town Attorney.

RESOLUTION 183-2016

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Lockwood, the following resolution was

ADOPTED Ayes 4 - Maneely, Scharf, Lockwood, Sullivan

Nays 0

Resolved that the Town Board return to Regular Session at 6:32 p.m.

BILLS FOR AUDIT & PAYMENT:

RESOLUTION 184-2016

On a motion by Deputy Supervisor Maneely, seconded by Councilor Lockwood, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood

Nays 0

Resolved that the following bills, having been audited and approved for payment, Vouchers #595-653

General Fund (A) – Abstract #11	\$ 48,547.35
Part Town General (B) – Abstract #11	392.38
Highway Townwide (DA) – Abstract #9	631.94
Highway Outside (DB) – Abstract #14	21,106.06
East Side Water (FE) – Abstract #6	191.48
CHIPS (H3) – Abstract #1	10,600.00
Trust & Agency (T) – Abstract #25	43,008.93
GRAND TOTAL:	\$ 124,478.14

TOWN OF MALONE
REGULAR MEETING
July 13, 2016

ADJOURN:

RESOLUTION 185-2016

With no further business, on a motion by Councilor Scharf, seconded by Councilor Lockwood, the meeting was adjourned at 6:35 PM. The next regular meeting is scheduled for July 27, 2016 at 6:00 PM.

RESPECTFULLY SUBMITTED,

Deborah A. Hutchins

DEBORAH A. HUTCHINS, TOWN CLERK

